

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonough, et al.

Group Art Unit: 1631

Serial No.: 08/480,472

Examiner: Marschel, A.

Filed: June 6, 1995

For: NUCLEIC ACID SEQUENCE AMPLIFICATION



TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 (b)

Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

The Applicants have assigned this application to the Assignee of record who owns 100% interest in any patent to be granted on the above application or continuation application making reference to the above stated application. A fee pursuant to 37 C.F.R. 1.20(d) of \$110.00 is attached herewith.

The Applicants hereby disclaim from the terminal portion of the term of any patent granted on the above application, or a continuing application that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above application, equivalent to the portion of time during which the above application was under an abandonment. This period is specifically that period from November 16, 2000 to the filing of the response under 37 C.F.R. 1.111 filed February 22, 2001, or ninety eight (98) days.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the initial

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application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

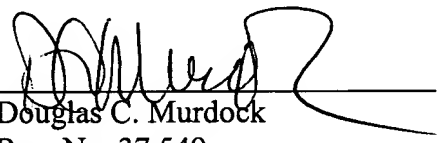
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned is an attorney of record.

If you have any questions or need to contact me directly, I can be reached at (858) 720-2757. Thank you.

Respectfully submitted,
Brobeck, Phleger & Harrison LLP

By: _____


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